

From: Ben Schilke
To: Microsoft ATR
Date: 1/27/02 11:28am
Subject: Microsoft Settlement

I am writing to ask that you reject the settlement proposal between Microsoft and Department of Justice that is before your court. Microsoft ("MS") is a company that practices unfairly and illegally in the software and operating system markets.

Time and again MS has used its monopoly power or any other advantage to wrongfully gain market share and greater control of these markets. Since being charged with anti-competitive behavior, MS has shown in its defense of these charges the complete disrespect for the idea of fair competition that matches their behavior. To claim responsibility for the innovation in software of the last decade or so is ridiculous--those familiar with the software industry knows that MS is not an innovator, but rather borrows or steals so much of what has been considered innovative. The idea that there needs to be a consistent platform so that there is compatibility across computers is also bogus: look at how seamlessly MacOS and Windows files are now translated from one to the other. And consider its proposal a few weeks ago that it donate supposed millions of dollars of software to under-privileged school systems. What kind of company has the arrogance to suggest that "dumping" a product into the one market they have not yet entered (the education market) is a fitting punishment!?!

Microsoft must not be allowed to enter into this proposed settlement with the Department of Justice if current and potential competitors are to be allowed a chance to compete and provide consumers with real choices in the software market.

Ben Schilke